

REMARKS

Applicant first would like to thank Examiner Arani for his considerate assistance during an interview on March 8, 2005. Consistent with the interview and kind suggestions from Dr. Arani, applicant herein submits these preliminary amendments and remarks with this RCE. Claims 1-23 are pending and have been rejected in the patent application. Applicant repeats herein the arguments filed June 10, 2004. Reconsideration in view of the foregoing amendments and following remarks is respectfully requested.

Claims 1, 13 and 17 are amended for clarity to remove the unnecessary term "article incompatible". The resulting amended claims are fully supported by the specification at page 9, lines 1-9, *et seq.*, which clearly indicate and define "entities that are incompatible with the video content," even providing examples of such entities.

Claims 1, 5, 10, 11, 12 and 23 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,668,303 to *Copeland*.

Independent claim 1, as amended, recites a method for distorting a recording of projected images. The method includes the step of imposing entities that are incompatible with the video content. Applicant has argued that Copeland does not

teach such a method. The Examiner has responded that the Applicant has failed to define "artifacts incompatible", thereby freeing the Examiner to define the term in a broad fashion. Applicant has removed reference to "artifacts incompatible," although Applicant believes the Examiner to be in error, since the specification provides contextual meaning the expression "artifacts incompatible". See Specification, pages 9-10.

Nevertheless, claim 1, as amended, includes imposing "modulated entities incompatible with the video content," which is not taught by Copeland. During the Examiner Interview, the Examiner agreed that claim 1, as amended, is not disclosed by Copeland. Thus, the rejection of claim 1 should be withdrawn.

Likewise, rejection of claims 5, 10, 11, 12 and 23, which depend from amended claim 1, also should be withdrawn, since they all include the modulated entities required by claim 1, which are completely absent from Copeland.

Claims 2-4 and 6-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Copeland in view of "Video Scrambling and Descrambling for Satellite and Cable TV", by Graf, et al. The Applicant argued on June 4, 2004 that the required motivation or suggestion to combine the references does not exist, nor would it have been obvious to one of skill in the art

at the time of the invention to make such combination. These arguments are repeated here. However, since these claims depend from amended claim 1, they also require the modulated entities of claim 1, which are neither present in *Copeland* or *Graf, et al.*, nor in any combination thereof. Thus, no combination of *Copeland* with *Graf, et al.* provides or suggests each element of claim 2-4 and 6-9. For this reason, these claims are non-obvious and allowable over any such combination.

Claims 13, 17-19 and 21-22 are similarly rejected under 35 U.S.C. §103(a) as being unpatentable over *Copeland* in view of U.S. Patent No. 5,924,013 to *Guido, et al.*.

As previously stated, independent claims 13 and 17 have been amended to recite the modulated entities as in claim 1, which entities are absent from *Copeland* and *Guido, et al.*, as well as from any combination thereof. For the same reasons as for claim 1, listed above, claims 13 and 17 and their dependant claims 18-19 and 21-22 each require the modulated entities, and are thus allowable over any combination of *Copeland* and *Guido, et al.*.

The specification has been amended to include "artifacts that are incompatible with the video content," the basis for which is found claim 1, prior to its amendment.

Docket No.: SAR 13978

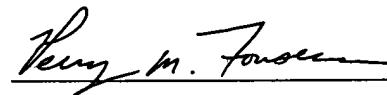
U.S. Serial No. 09/679,320  
(PATENT)

As it is believed that all of the rejections set forth in the prior Official Action have been overcome by the amendments and remarks herein, allowance is earnestly solicited.

If, however, for any reason the Examiner does not believe that such can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (973) 596-4525 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 03-3839 therefor.

Respectfully submitted,

  
Perry M. Fonseca  
Perry M. Fonseca  
Attorney for Applicant  
Registration No. 50,975

Gibbons, Del Deo, Dolan  
Griffinger & Vecchione  
One Riverfront Plaza  
Newark, NJ 07102-5496